

1
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3
4 BILL NO. S-77-03-33

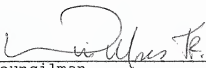
5 SPECIAL ORDINANCE NO. S- 75-77

6 AN ORDINANCE approving blanket
7 purchase order for materials for
8 the Fort Wayne Street Department.

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
10 FORT WAYNE, INDIANA:

11 SECTION 1. That the contract dated March 8, 1977,
12 between the City of Fort Wayne, by and through its Mayor and
13 the Board of Public Works and Pierceton Equipment Co., Inc.,
14 Civil City Purchase Order No. B 4-00392, for a blanket order for
15 Road Oil for the 1977 Season, all of which cost will be charged
16 against the Street Department as the supplies are needed, which
17 said purchase order is on file in the Office of the Department
18 of Purchasing and is by reference incorporated herein, made
19 a part hereof and is hereby in all things ratified, confirmed
20 and approved.

21 SECTION 2. This Ordinance shall be in full force
22 and effect from and after its passage and approval by the Mayor.

23
24 
25 _____
26 Councilman

27
28
29
30
31
32
33 APPROVED AS TO FORM
34 AND LEGALITY,
35 
CITY ATTORNEY

Read the first time in full and on motion by Mrs. Hing, seconded by Hing, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice~~, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 3-22-77

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Mrs. Hing, seconded by Hing, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>			<u>1</u>	
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
HUNTER				<u>✓</u>	
MOSES	<u>✓</u>				
NUCKOLS	<u>✓</u>				
SCHMIDT, D.	<u>✓</u>				
SCHIMDT, V.	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 4/12-77

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 2-75-77 on the 12th day of April, 1976.

ATTEST (SEAL)

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of April, 1976, at the hour of 4:00 p'clock A M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 19th day of April, 1976, at the hour of 6:00 o'clock P. M., E.S.T.

Ralph E. Cunningham
MAYOR

Bill No. S-77-03-33

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on PUBLIC WORKS to whom was referred an Ordinance
approving blanket purchase order for materials for the Fort Wayne Street
Department

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

WINFIELD C. MOSES, JR. - CHAIRMAN

DONALD J. SCHMIDT

VIVIAN G. SCHMIDT

PAUL M. BURNS

SAMUEL TALARICO

DATE 4-12-77 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

Memorandum

To H. P. Wehrenberg, Board of Works

Date March 7, 1977

From Purchasing Department

Subject Bid Ref. No. 766 - SCO Road Oil - Street Department

COPIES TO:

W. N. White

Enclosed you will find Bid Documents (Bid No. 766) relating Purchase Order Number 4-00392 which is prepared favoring Pierceton Equipment Co., Inc. for SCO Road Oil - for an estimated cost - between \$3,400.00 and \$18,800.00.

The following documents are attached in support of the recommendation for acceptance of Pierceton's offer:

1. Copy of Tab Sheet
2. Copy of Mailing List
3. Copies of two Bids received
4. Copy of Purchase Order

(2) Five (5) Vendors were mailed Invitations to Bid. Two Bids were received.

The enclosed Bid Tabulation Sheet indicates a firm price from Dailey Asphalt of \$0.55 per gallon applied to streets by the Vendor. No offering was made by Dailey for delivery to the Street Departments Storage tanks or pick-up by City trucks.

The Pierceton offering includes City pick-up at \$0.34 per gallon and delivery by them to the City storage tanks at \$0.376 per gallon with provision for price escalation. Although we prefer a firm price for the 1977 season, no such offering was made.

The estimated quantity for the 1977 season is 10,000 to 50,000 gallons.

Please process all of the attached documents for Council approval. Please make sure that no confirming Purchase Order Number is communicated to Pierceton until evidence of approval is furnished to the Purchasing Dept.

Genevieve V. Ramer
Genevieve V. Ramer

Approved: A. C. Lord

A. C. Lord

64-152-12

3/9/77

Bid Reference No. 766 - Road 011

Date March 3, 1977

Vendors Name & Address

Cards Mailed

Bids Picked Up

Bids Mailed

Dailey Asphalt
1034 Oakland Street
Fort Wayne, Indiana 46808

2-18-77

Gladieux Refinery, Inc.
4133 New Haven Avenue
Fort Wayne, Indiana 46803

11

Laketon Asphalt Refinery Company, Inc.
P. O. Box 231
Laketon, Indiana 46943

11

Asphalt Equipment Company, Inc.
13333 U.S. Highway #24 - West
Roanoke, Indiana 46783

11

Wayne Waste Oil
Daniel Drive
Columbia City, Indiana 46725

11

CITY OF FORT WAYNE
DEPARTMENT OF PURCHASES
NUMBER ONE EAST MAIN STREET
ROOM 470
FORT WAYNE, INDIANA 46802

PURCHASE ORDER NUMBER
B 4- 00392

177

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Ft Wayne Street Department
231 South Clinton St.
Ft. Wayne, Indiana 46802

1423

Pierceton Equipment Co., Inc.
P. O. Box 233
Laketon, Indiana 46943

DELIVER TO:-

DEPARTMENT Same as above
OR DIVISION

ADDRESS

CASH DISCOUNT TERMS _____ % IF PAID WITHIN _____ DAYS FROM DELIVERY AND
ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

DATE March 8, 1977

REF. NO.

REQ. NO. 4482

THE ABOVE INFORMATION MUST APPEAR ON
ALL INVOICES, BILLS OF LADING, DELIVERY
TICKETS, PACKAGES AND CORRESPONDENCE.
INVOICE IN DUPLICATE.

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE
WANTED }

APPROPRIATION
AND FUND
NUMBER } 28-880-440

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
TAX EXEMPT (UNLESS OTHERWISE INDICATED)				
<p>COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE.</p> <p>NOTE</p> <p>↓</p> <p>READ</p> <p>INSTRUCTIONS ON THE BACK OF THIS ORDER</p> <p>THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND.</p> <p>EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY.</p> <p>IND. SALES TAX EXEMP. CERTIF. NO. 34508</p> <p>IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION KINDLY RETURN IT WITH AN EXPLANATION.</p>				
		<p>Blanket Purchase Order for</p> <p>SCO Road Oil for the 1977 Season</p> <p>For 10,000 gallons and over - not to exceed a maximum of 50,000 gallons</p> <p>Per Bid Reference No. 766</p> <p>Requirements will be released on departmental Purchase Orders against this blanket order as required by the using department.</p> <p><i>Henry P. Wehrenberg</i></p> <p><i>E. J. D. Lamm</i></p> <p><i>Max G. Scott</i></p>		
		<p>SUBJECT TO CITY MANAGER APPROVAL</p> <p>APPROVED Board of Public Works</p>		

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROPRIATED.

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUISITION ON FILE IN THIS OFFICE.

City Controller

Director of Purchases

Per _____

Per _____

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASES

Number One Main St., Ft. Wayne, Ind. 46802

INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the Department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

*Mail all replies and correspondence, etc., to Attn. of

A. C. Lord - 423-7037

DEPARTMENT OF PURCHASES

Room 470, Number One Main St., Ft. Wayne, Ind. 46802

REQUIRED FOR DELIVERY TO:

Department

or Division

Street Department

231 South Clinton Street

Address Fort Wayne, Indiana 46802

RETURN ORIGINAL TO THE CITY — RETAIN DUPLICATE COPY FOR YOUR FILE

Closing
Time of Bids Thursday - March 3, 1977 - 2:30 ~~AM~~ P.M.

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 54605. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 16 on reverse hereof for details.
TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
10,000 to 50,000	Gallons (More or Less)	SCO Road Oil As Needed.		
The enclosed Non-Collusion Affidavit and Proposal and Bid Surety Form must be properly completed and returned with your Bid.				
Quote Firm Prices for 1977:				
		1. Price per Gallon applied by Vendor on various City Streets		
		2. Price per Gallon picked up by the City.	(1) .3400	17,000.00
		3. Price per Gallon Delivered and Transferred into the City's Holding Tank by Transport Loads.	(1) .3502	17,510.00
		3. (ALTERNATE SOURCE)	(2) .3760	18,800.00
NOTE: Lab Certification of SCO Road Oil Contents Required.				
(1) - Source of Supply - Laketon, Ind. - Based on dock price of .3300				
(2) - Source of Supply - E. Chicago or Whiting, Ind. - Based on dock price of .3300				
ESCALATOR AND ALLOCATION CLAUSES ATTACHED				
Each Bidder must submit a current written Affirmative Action Program with their Bid or have it on file with our E.E.O. Office for the current calendar year. NOTE: Forms attached must be completed in full, if not on file in E.E.O. Office..				
Specify Which: On File: <u>X</u> Attached: _____				

Bid Bond required ☐ YES ☒ \$500.00 Performance Bond ☐ YES ☒
See instruction item No. 16 on reverse side hereof.
Terms 00 % cash discount if paid within _____ days from delivery and acceptance of goods or completion of services.

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications appearing and as the Delivery of any or all of the items or completion of services indicated shall be made within 1 days from receipt of order.

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

Purchase Order Equipment Co. Inc.
Name of Company
Per Paul J. Beck Sec-Treas.
Address P. O. Box 233
Laketon, Ind. 46243 Date 3/1/77

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA,

} SS:
_____Kosciusko____ COUNTY }

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Sam F. Reber Sec-Treas. _____

Bidder or Agent

For Pierston Equipment Co., Inc. _____
Firm or Corporation

Subscribed and sworn to before me this 1st day of March, 1977

My Commission Expires

April 6, 1982 _____

J. R. Sprong _____
Notary Public

REQUEST FOR PUBLICATION

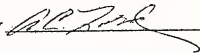
News	
Sentinel	x
Journal	
Gazette	x
Other	

DATE February 15, 1977

Kindly publish the following advertisement on the dates as shown and issue invoice to *

* Department Street Department
231 South Clinton Street
Address Fort Wayne, Indiana 46802

Department of Purchases
City of Fort Wayne

By 

BIDS WANTED - REFERENCE NO. 766

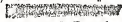
Sealed Proposals will be received by the City of Fort Wayne at the Office of Department of Purchases, Number One Main Street, Room 470, Fort Wayne, Indiana, until Thursday - March 3, 1977 - 2:30 P.M.
for the following items:

10,000 to 50,000 Gallons (More or Less) SCO Road Oil

Each Bidder must submit a written Affirmative Action Program with his or her bid or have on file with our E.E.O. Office for the current year.

Bid Forms, specifications, etc., may be obtained upon application at the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 500.00 must be submitted with the bid.

Department of Purchases
City of Fort Wayne
By  A. C. Lord
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

2-22-77

3-1-77

LEGAL NOTICE

PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of.....

Five Hundred Dollars. (\$500.00) = Dollars, to be paid on demand to said City of Fort Wayne, its successors, and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

BID CHECK (ALTERNATE FORM OF SURETY):

If corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

ATTENTION BIDDERS

Use This Form Only - DO NOT Substitute Some other Form. (Use of any other Form will disqualify your Bid.)

..... Dollars
..... Bank
..... same terms and conditions as set forth in the above bond.

SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

OTHER PARTIES INTERESTED IN THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

BIDDER
AND
PRINCIPAL

Pierceton Equipment Co., Inc.
Name of Bidder—Print or Type

By Paul J. Beebe
Signature of Person Authorized to Sign

Title Secretary-Treasurer

P. O. Box 233
Street Name and Number

Laketon, Ind. 46043
City, State and Zip Code

Date March 1, 1977

See Cover Letter

The Ohio Casualty Insurance Company
Name of Company — Print or Type

Incorporated
In the State of: Hamilton, Ohio

Address.....

By Paul J. Beebe
Atty-in-Fact Sign on this Line

Date 3-1-77

Witnessed by:

SURETY

THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

No. 9980

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint: Robert Beauchamp or Richard Neher or Robert W. Beauchamp, Jr.

or Lois Jasorka or T. A. McSpadden ----- of Wabash, Indiana ----- its true and lawful agent and attorney -in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance

ONE HUNDRED THOUSAND ----- \$100,000.00----- Dollars, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supercedes any previous authority heretofore granted the above named attorney(s)-in-fact.



In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 6th day of May 19 68

(Signed) J. Earl Rochester
Vice-President

STATE OF OHIO.
COUNTY OF BUTLER

} ss.

On this 6th day of May A. D. 1968 before

the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came J. Earl Rochester, Vice-President of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposed and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.

(Signed) Dorothy Bibe
Notary Public in and for County of Butler, State of Ohio
My Commission expires December 9, 1971



This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 6th day of March A. D. 1971



John H. Rehm
Assistant Secretary



PIERCETON EQUIPMENT COMPANY, INC.

P. O. BOX 233

LAKETON, INDIANA 46943

TELEPHONE 219 982-2175

DIAMOND REO SALES & SERVICE

PETROLEUM PRODUCTS - ASPHALT - ROAD OILS

The Bidder shall have the right to increase the contract price in an amount equal to the bidder's increase in costs of materials and supplies occurring subsequent to the date on which such bid is submitted (hereinafter referred to as "Base Date") to the board having authority to award contracts. Any increase (or decrease) in the bidder's cost of materials and supplies after the base date whenever such price change occurs, and shall be verified by proper documents furnished to the responsible awarding board which shall include proof of price to the bidder from the bidder's source of supply.

Bidder may reserve the right to allocate its product to its customers in a fair and equitable manner, if necessary, due to the reduction of the allocation from the source of supply to the bidder in accordance with any directives for mandatory allocation issued by an appropriate agency of the Federal government.

~~Minimum order quantities for all products are as follows:~~
~~Asphalt - 100 tons; Road Oil - 100 barrels; Diamond Reo Sales & Service - 100 tons.~~

PIERCETON EQUIPMENT COMPANY, INC.

Paul F. Beebe

Paul F. Beebe
SECRETARY-TREASURER

CITY OF FORT WAYNE

DEPARTMENT OF PURCHASES

Number One Main St., Ft. Wayne, Ind. 46802

INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

*Mail all replies and correspondence, etc., to Attn. of A. C. Lord - 423-7037

DEPARTMENT OF PURCHASES

Page 1 of 5Ref. No. 766Date February 15, 1977

Date wanted _____

Fund 28-880-440

Appropriation No. _____

Room 470, Number One Main St., Ft. Wayne, Ind. 46802Address
REQUIRED FOR DELIVERY TO:Department
or Division Street Department231 South Clinton StreetAddress Fort Wayne, Indiana 46802**RETURN ORIGINAL TO THE CITY — RETAIN DUPLICATE COPY FOR YOUR FILE**Closing
Time of Bids Thursday - March 3, 1977 - 2:30 P.M.

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 34608. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

TAX EXEMPT (Unless otherwise indicated)

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
10,000 to 50,000	Gallons (More or Less)	SCO Road Oil As Needed.		
The enclosed Non-Collusion Affidavit and Proposal and Bid Surety Form must be properly completed and returned with your Bid.				
<u>Quote Firm Prices for 1977:</u>				
1.	Price per Gallon applied by Vendor on various City Streets		\$ 0.55	\$ 0.55 per Gal
2.	Price per Gallon picked up by the City.			
3.	Price per Gallon Delivered and Transferred into the City's Holding Tank by Transport Loads.			
NOTE: Lab Certification of SCO Road Oil Contents Required.				
Each Bidder must submit a current written Affirmative Action Program with their Bid or have it on file with our E.E.O. Office for the current calendar year. NOTE: Forms attached must be completed in full, if not on file in E.E.O. Office..				
Specify Which: On File: <u>XXXX</u> Attached: _____				

Bid Bond required ☐ NO ☒ YES \$500.00 Performance Bond ☐ NO ☒ YES _____
See instruction item No. 18 on reverse side hereof.

Terms _____ % cash discount if paid within _____ days from delivery and acceptance of goods or completion of services.

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within _____ days from receipt of order ^{or} ~~or~~

IMPORTANT

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

DAILEY ASPHALT PRODUCTS COMPANY, INC.

F. W. Daley Vice of Company
PRESIDENT

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA, }
Allen COUNTY } SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Dailey Asphalt Products Co., Inc.

X L. W. Dailey
 L. W. Dailey, Bidder or Agent

For Dailey Asphalt Products Co., Inc.
 Firm or Corporation

Subscribed and sworn to before me this 3rd day of March, 1977

My Commission Expires

8-14-79

Carrie L. Emerson

REQUEST FOR PUBLICATION

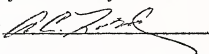
News	
Sentinel	x
Journal	
Gazette	x
Other	

DATE February 15, 1977

Kindly publish the following advertisement on the dates as shown and issue invoice to *

* Department Street Department
231 South Clinton Street
Address Fort Wayne, Indiana 46802

Department of Purchases
City of Fort Wayne

By 

BIDS WANTED - REFERENCE NO. 766


Sealed Proposals will be received by the City of Fort Wayne at the Office of Department of Purchases, Number One Main Street, Room 470, Fort Wayne, Indiana, until Thursday - March 3, 1977 - 2:30 P.M.
for the following items:

10,000 to 50,000 Gallons (More or Less) SCO Road Oil

Each Bidder must submit a written Affirmative Action Program with his or her bid or have on file with our E.E.O. Office for the current year.

Bid Forms, specifications, etc., may be obtained upon application at the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 500.00
must be submitted with the bid.

Department of Purchases
City of Fort Wayne
By  A. C. Lord
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

2-22-77

3-1-77

LEGAL NOTICE

PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of Five thousand and no/100 dollars (\$5000.00) Dollars, to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

BID CHECK (ALTERNATE FORM OF SURETY):

Certified ☐

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

ATTENTION BIDDERS

Use This Form Only - DO NOT Substitute
Some other Form. (Use of any other
Form will disqualify your Bid.)

..... Dollars
..... Bank
..... same terms and conditions as set forth in the above bond.

SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

OTHER PARTIES INTERESTED IN
THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

BIDDER
AND
PRINCIPAL

Davey Asphalt Products Co., Inc.
Name of Bidder—Print or Type
By R. D. Dailey, Jr.
Signature of Person Authorized to Sign
Title President
1034 Oakland St.
Street Name and Number
Fort Wayne, IN 46808
City, State and Zip Code
Date March 3, 1977

SURETY

Witnessed by:

See Cover Letter

St. Paul Fire & Marine Insurance Co.
Name of Company — Print or Type

Incorporated

In the State of:

Address:

By

Sign on this Line

Date

ST. PAUL FIRE AND MARINE INSURANCE COMPANY

(A Capital Stock Company)

ST. PAUL, MINNESOTA

CERTIFIED COPY OF POWER OF ATTORNEY

Original on File at Home Office of Company. See Certification.

Fidelity and Surety
Department

KNOW ALL MEN BY THESE PRESENTS: That the St. Paul Fire and Marine Insurance Company, a corporation organized and existing under the laws of the State of Minnesota, and having its principal office in the City of Saint Paul, Minnesota, does hereby constitute and appoint

Arthur C. Frericks, Gerald A. Dahle, Donald T. Belbutowski, C. H. Yaste, Fred S. Rye,
Leonard Shirley, Josephine E. Stackhouse, Lane I. Ross, David J. Steffen, Helen F. Pyles,

individually, Ft. Wayne, Indiana

its true and lawful attorneys-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said St. Paul Fire and Marine Insurance Company, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be certified to and may be revoked, pursuant to and by authority of Article V, -Section 6(C), of the By-Laws adopted by the Board of Directors of the ST. PAUL FIRE AND MARINE INSURANCE COMPANY at a meeting called and held on the 23rd day of January, 1970, of which the following is a true transcript of said Section 6(C):

"The President or any Vice President, Assistant Vice President, Secretary or Resident Secretary, shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and
- (2) To appoint Special Attorneys-in-fact, who are hereby authorized to certify to copies of any power-of-attorney issued in pursuance of this section and/or any of the By-Laws of the Company, and
- (3) To remove, at any time, any such Attorney-in-fact or Special Attorney-in-fact and revoke the authority given him."

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 6th day of May, 1959, of which the following is a true excerpt:

"Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN TESTIMONY WHEREOF, the St. Paul Fire and Marine Insurance Company has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 5th day of January A. D. 19 76
ST. PAUL FIRE AND MARINE INSURANCE COMPANY

STATE OF MINNESOTA }
County of Ramsey } ss.

Vice President,

On this 5th day of January 19 76, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said that he is the therein described and authorized officer of the St. Paul Fire and Marine Insurance Company; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his signature were duly affixed by order of the Board of Directors of said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal,
at the City of Saint Paul, Minnesota, the day and year first above written.

V.C. INNES
Notary Public, Ramsey County, Minn.
My Commission Expires April 27, 1983

CERTIFICATION

I, the undersigned officer of the St. Paul Fire and Marine Insurance Company, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, * with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID COMPANY, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of March 1977

Secretary.

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKSSYNOPSIS OF ORDINANCE Civil City Blanket Purchase Order 4-00392 to Pierceton *S. 77-03-33*Equipment Co., Inc. provides for Street Department purchase of road oil for 1977.Cost of estimated need of 10,000 to 50,000 is as follows:Delivered to City storage tanks ----- \$0.376 per gal.Picked up by City trucks ----- 0.34 per gal.Quotes were solicited from six vendors but only two responded.The bid of Dailey Asphalt only covered application by the vendor at \$0.55 per gal.(SEE TABULATION AND BIDS ATTACHED)EFFECT OF PASSAGE Establish vendor to eliminate bidding as neededEFFECT OF NON-PASSAGE Need for bidding on smaller quantities at various timesMONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Cost to Street Department asordered per bid, with provision for escalation as cost rises.ASSIGNED TO COMMITTEE none